

TELECOMMUNICATION

Defense Telephone Link

**Agreement Between the
UNITED STATES OF AMERICA
and CHINA**

Signed at Shanghai February 29, 2008



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“ . . . the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

CHINA

Telecommunication: Defense Telephone Link

*Agreement signed at Shanghai February 29, 2008;
Entered into force February 29, 2008.*

**AGREEMENT ON THE ESTABLISHMENT OF A SECURE
DEFENSE TELEPHONE LINK BETWEEN THE DEPARTMENT OF
DEFENSE, THE UNITED STATES OF AMERICA AND
THE MINISTRY OF NATIONAL DEFENSE, THE PEOPLE'S
REPUBLIC OF CHINA**

The Department of Defense of the United States of America (hereinafter referred to as "the U.S. Side") and the Ministry of National Defense of the People's Republic of China (hereinafter referred to as "the Chinese Side"), with a view towards improving communications to enhance the relationships between them, have reached the following agreement to establish a secure Defense Telephone Link between Washington, D.C. and Beijing:

Article One

The U.S. Side and the Chinese Side will establish, on the basis of reciprocity, the secure Defense Telephone Link (hereinafter referred to as DTL) for secure voice communications between the two Sides.

Article Two

The intended locations of the secure Defense Telephone Link terminals will be *Zhongnanhai Telecommunications Directorate* in Beijing, People's Republic of China, and *the Office of the Secretary of Defense Communications* in Washington, D.C., United States of America. The *Zhongnanhai Telecommunications Directorate* will operate and maintain the DTL (including extension from Zhongnanhai to the Bayi Building and the Foreign Affairs Office of the Ministry of National Defense) for the Chinese Side. *The Office of the Secretary of Defense Communications* will operate and maintain the DTL for the U.S. Side.

Article Three

The following guidelines and rules will apply to the operation of the DTL:

1. Official exchanges between the Chinese Minister of National Defense and U.S. Secretary of Defense are the primary purpose intended for the DTL; however, the DTL may be used for communications between other defense officials, by mutual agreement, but not to interfere with the primary purpose stated above.

2. The following procedures should provide for continuous and uninterrupted capacity of DTL operations:

a. The Side initiating a request for an official call should provide 48 hours notice of the call and the topics for discussion.

b. Both Sides should reach an understanding on the calling time through appropriate diplomatic and military channels and initiate coordination and preparation for the call.

c. In case of a crisis situation, either Side may waive the 48-hour notice and request an immediate official exchange through an initial working-level call.

3. Both Sides shall communicate with each other through the DTL mainly on the following topics and subjects:

a. Any emergency between the armed forces of the United States and China.

b. Major events regarding U.S. and Chinese armed forces.

c. Important issues regarding U.S-China military-to-military exchange programs.

4. If interpretation is needed, interpretation service will be provided by both Sides through respective extension equipment connected to the DTL and according to established interpretation procedures. Each Side should provide interpretation services, as required.

Article Four

1. A Line of Communication (LOC), using U.S.-provided Secure Terminal Equipment (STE) devices, will enable both Sides to conduct secure voice communications through Integrated Service Digital Network (ISDN). The U.S. Side will lend at no cost to the Chinese Side, two STE encryption devices (one set for operation, the other as a spare), together with the necessary keying materials.

2. A Line of Communication (LOC), using Chinese-provided RX-11 encryption devices, will also enable both Sides to conduct secure voice communications through Integrated Service Digital Networks (ISDN). The Chinese Side will lend at no cost to the U.S. Side, two RX-11 encryption devices (one set for operation, the other as a spare), together with the necessary keying materials.

3. The Chinese Side will provide the local extension connection from *Zhongnanhai Telecommunications Directorate* to the Bayi Building, and to the Foreign Affairs Office of the Ministry of National Defense in Beijing. The U.S. Side will provide the local extension connection within *the Office of the Secretary of Defense Communications*.

4. The Side initiating test calls and official exchange calls will be responsible for the cost incurred.

5. A 24-hour non-secure telephone link will be established for timely coordination on expected user calls.

6. The two Sides will establish implementation dates, based upon successful operational testing of the DTL, using the U.S.-provided STE encryption devices and, in turn, the Chinese-provided RX-11 encryption devices.

Article Five

The authorized agencies of both Sides may convene meetings, as

required, between technical experts to address issues regarding the operation of the DTL terminals, maintenance of related equipment, and circuit performance.

Article Six

The authorized agencies of the two Sides will conclude technical arrangements to facilitate the operation and maintenance of the DTL.

Article Seven

The authorized agencies of the two Sides will maintain and manage the DTL according to any technical arrangements and take measures necessary to ensure the unimpeded operation of the LOC within each Side's respective country. Should malfunction of the LOC occur, the authorized agencies of the two Sides will, according to the technical arrangements, contact each other to resolve operational deficiencies.

Article Eight

Both Sides agree that the encryption devices, keying materials, and related information of the LOC will not be transferred or disclosed to a third party and will take necessary measures to protect against the divulgence of information transmitted through the LOC.

Both Sides agree that information obtained as a result of this Agreement will not be provided to a third party without the written consent of the other Side. Neither Side will avail itself of the information obtained to undermine the national interests of the other Side.

Article Nine

Any differences in the interpretation of application of this Agreement shall be resolved through consultation.

Article Ten

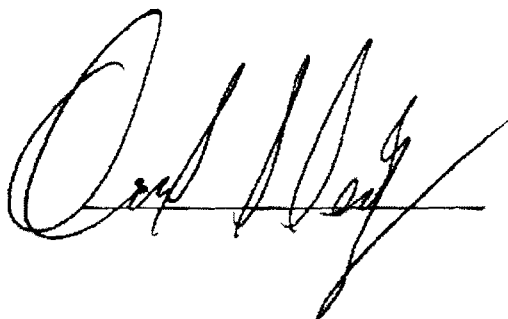
After this Agreement is signed, the two Sides will coordinate relevant technical requirements and sign a technical protocol.

Article Eleven

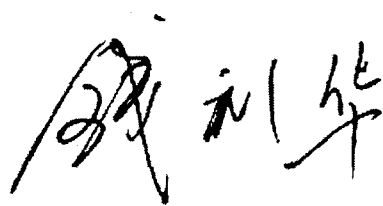
This Agreement enters into force upon signature by both Sides. Either Side may notify the other side of its intent to terminate this Agreement by giving written notice through the diplomatic channel six months in advance of the termination.

Done in duplicate in Shanghai, on February 29th, 2008, in the English and Chinese languages, both texts being equally authentic.

**For and on behalf of
The Department of Defense
United States of America**

A handwritten signature in black ink, appearing to be "Carl Mundy", written over a horizontal line.

**For and on behalf of
The Ministry of National Defense
People's Republic of China**

A handwritten signature in black ink, appearing to be "Wang Lijun", written over a horizontal line.